

take your seats, record your presence. We are looking for Senator Brown, Senator Elmer, Senator Wehrbein, Senator Jones. There has been a request for a roll call in regular order. Senator Jones, we are waiting for Senator Jones. Senator Jones is here. This being the first motion to overrule this session, let me explain procedurally. The question is, shall the Chair be overruled? If you wish to overrule the Chair, to allow consideration of the Preister amendment, to consider it as a germane amendment, then you will vote yes. If you want to support the Chair, the Chair ruled that the Preister amendment was not germane, and that it would not be considered. Also, there are 45 members now present. A majority of those present will be...is 23, provided no other members come in during the course of the debate. It will take 23 votes to overrule the Chair. There has been a request to have a roll call vote in regular order. Mr. Clerk, call the role.

CLERK: (Roll call vote taken. See page 1464 of the Legislative Journal.) 12 ayes, 31 nays, Mr. President.

SPEAKER WITHEM: The ruling of the Chair stands. The Preister amendment is not in order. Mr. Clerk, other items. By the way, the call is raised. Any other items?

CLERK: Yes, Mr. President, the next amendment I have to the bill is by Senator Janssen.

SENATOR JANSSEN: Mr. Speaker, members of the Legislature, the introduction of this amendment, 1175 is an attempt to place an operator of a vehicle who is not the owner of the vehicle being operated in the equal position as an operator of the vehicle who is the owner of the vehicle being operated. A change was made a couple of years ago in laws which deal with the prosecution of persons cited for no proper registration of their motor vehicle. Section 6302 was amended to include a provision that if the owner of the vehicle cited for improper registration properly registers and licenses the vehicle after the citation is issued, the prosecution shall cease. However, there are inequities. The amended law refers only to the owners of a vehicle who are cited in the violation, not the operator. Therefore, if the violator is driving a friend's car which happens to be improperly registered, he or she, the operator, will be cited for that violation and there is no provision that such operator citation will be dismissed if the vehicle is properly licensed and the taxes are paid within the ten-day period allotted.